

RESOLUTION NO. R16-75

A RESOLUTION BY TROTWOOD CITY COUNCIL IMPOSING A MORATORIUM OF SIX MONTHS ON THE ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROTWOOD, OHIO.

WHEREAS, Substitute House Bill 523, which is the Bill legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, becomes effective September 8, 2016; and

WHEREAS, for the purposes of this Resolution, the definitions of "cultivators," "processors," and "retail dispensaries" are given the same definitions as those found in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, which Chapter is effective September 8, 2016; and

WHEREAS, Ohio Revised Code Section 3796.29 authorizes a municipality to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29 in the City of Trotwood; and

WHEREAS, Council seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical marijuana-related businesses within the City of Trotwood, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and

WHEREAS, City staff will require additional time to review and make recommendations on zoning, prohibition and/or limitations of medical marijuana so that any necessary regulations conform to goals of the City of Trotwood and help ensure the public peace, health, safety, and welfare of its citizens; and

WHEREAS, a moratorium of six months on the granting of permits for medical marijuana-related businesses in the City of Trotwood will allow Council time to accomplish the City's goals and help ensure the public peace, health, safety, and welfare of its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO, THAT:

SECTION I.

Council hereby imposes a moratorium of six months on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that City staff may study the new law and the related issues and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the City of Trotwood and to prepare any necessary, related regulations.

TROTWOOD, OHIO 45426

35 NORTH OLIVE ROAD

CITY OF TROTWOOD

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SECTION II.

Council seeks to limit the duration of the moratorium and to instruct the City Manager and City staff to immediately undertake a review of the new law and related issues; City staff will then recommend new regulations regarding the cultivation, processing, and retail dispensing of medical marijuana.

SECTION III.

Council hereby directs and orders that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by the City of Trotwood during the 6-month moratorium.

SECTION IV.

This Resolution shall take effect and be in full force from and after the date of its passage.

Passed this _____ day of _____ 2016.

ATTEST:

APPROVED:

SANDRA L. RIEGE FULLER, CMC
CLERK OF COUNCIL

MARY A. MCDONALD
MAYOR

BETTYE L. GALES
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, _____, Clerk of the City of Trotwood,
Ohio,

do hereby certify that the foregoing Resolution is a true and correct copy of Resolution

No. **R16-75** passed by the Trotwood City Council on the _____ day of _____
2016.

IN TESTIMONY WHEREOF, witness by hand and official seal this _____ day
of

_____ 2016.

Sandra L. Riege Fuller, CMC
Clerk of Council